



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/024,169

12/17/2001

Hongzhuan Ye

5953.3-1

6368

23559

7590

12/16/2003

MUNSCH, HARDT, KOPF & HARR, P.C.  
INTELLECTUAL PROPERTY DOCKET CLERK  
1445 ROSS AVENUE, SUITE 4000  
DALLAS, TX 75202-2790

EXAMINER

RONES, CHARLES

ART UNIT

PAPER NUMBER

2175

DATE MAILED: 12/16/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/024,169

Applicant(s)

YE, HONGZHUAN

Examiner

Charles L. Rones

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 14-27 is/are rejected.
- 7) ☒ Claim(s) 13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit: 2175

## DETAILED ACTION

### *Preliminary Amendment*

The preliminary amendment timely filed on December 17, 2001 has been entered.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8, 11-12, and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable by Lucas et al. U.S. Patent Publication 2002/0143533 ('Lucas').

**Lucas** discloses:

As to claim 1,

a central file system for storing a plurality of documents, each of said plurality of documents being stored said central file system based at least in part on a respective status of said plurality of documents; See Abstract; [0022-0024];

a content indexing module operable to index each of said plurality of documents stored in said central file system based at least in part on the respective content of said plurality of documents stored in said central file system; See Abstract; [0019]; [0064];

and

Art Unit: 2175

a document management module operable to manage the processing and distribution of said plurality of documents stored in said central file system in response to, at least in part, the respective status of said plurality of documents; See Abstract; [0022-0024].

Lucas discloses the claimed invention except for the storing a plurality of documents in only one of at least two folders or storing documents in folders. It would have been obvious to one having ordinary skill in the art at the time the invention was made to store a plurality of documents in only one of at least two folders or storing documents in folders since it was known in the art that keeping files in different folders (directories) would allow keeping files (documents) that are associated with one another together and apart from other files that are not related for faster retrieval of relevant information.{PRIVATE }

As to claim 2,

wherein each of a selected plurality of said plurality of documents comprises a transcribed document; See Abstract; [0022-0024].

As to claim 3,

database for storing information regarding a plurality of recipients; See Abstract; [0022-0024].

Art Unit: 2175

As to claim 4,

wherein at least one of said plurality of recipients is a physician; See Abstract; [0022-0024].

As to claim 5,

a document distribution module operable to distribute at least one of said plurality of documents to at least one of said plurality of recipients based at least in part on a preference of said at least one recipient stored in said database; See Abstract; [0022-0024].

As to claim 6,

wherein said document distribution module is further operable to recommend to a user a preferred method of distributing said at least one of said plurality of documents to said at least one of said plurality of recipients; See Abstract; [0022-0024].

As to claim 7,

wherein said recommendation is based at least in part on information about said at least one of said plurality of recipients stored in said database; See Abstract; [0022-0024].

Art Unit: 2175

As to claim 8,

a billing module operable to generate an invoice for at least one of said plurality of documents; See [0037].

As to claim 11,

wherein said content of each of said plurality of documents comprises a predefined pattern; See Abstract; [0022-0024].

As to claim 12,

wherein said predefined pattern comprises a plurality of indexing fields, at least one of said plurality of indexing fields having a value associated with it; See Abstract; [0019]; [0064].

As to claim 14,

wherein said document management module is further operable to search a folder of said at least two folders for documents matching a user specified criteria; See [0028-0030].

As to claim 15,

wherein at least one of said plurality of documents comprises a transcribed radiology report.

As to claim 16,

storing a plurality of transcribed documents in a folder of a plurality of folders of a central file system; See Abstract; [0022-0024];

creating a plurality of indexes for content indexing said plurality of transcribed documents, each of said plurality of indexes being based at least in part on an indexing field; See Abstract; [0019]; [0064];

enabling searching of said plurality of transcribed documents based on said plurality of indexes; See Abstract; [0019]; [0064]; and

automatically recommending to a user a preferred method of distributing a transcribed document of said plurality of transcribed documents to a recipient based at least in part on a preference of said recipient; See Abstract; [0022-0024].

As to claim 17,

determining the name of said recipient; See Abstract; [0022-0024].

As to claim 18,

wherein said recipient is a physician; See Abstract; [0022-0024].

As to claim 19,

correlating said name of said recipient with information about said recipient stored in a physician database; See Abstract; [0022-0024].

As to claim 20

reading the contents of said transcribed document to find a pattern in said transcribed document, wherein said pattern comprises a plurality of indexing fields, at least one of said plurality of indexing fields having a value associated with it; See Abstract; [0019]; [0064]; and

indexing said transcribed document based on said value of said at least one of said plurality of indexing fields; See Abstract; [0019]; [0064].

As to claim 21,

distributing said transcribed document to said recipient in response to receiving information from said user regarding a selected method of distribution; See [0063-0065].

As to claim 22,

storing a plurality of transcribed documents in a first folder of a plurality of folders of a central file system; See Abstract; [0022-0024]

moving at least one of said plurality of transcribed documents to a second folder in said central file system upon receiving approval for said at least one transcribed document; See Abstract; [0022-0024];

automatically recommending to a user a preferred method of distributing said at least one transcribed document to a recipient based at least in part on a preference of said recipient; See Abstract; [0022-0024]; and



Art Unit: 2175

transmitting said at least one transcribed document to said recipient in response to receiving information from said user regarding a selected method of distribution; See [0063-0065].

As to claim 26,

moving said at least one transcribed document to a third folder in said central file system after transmission of said at least one transcribed document to said recipient; See [0063-0065].

As to claim 27,

wherein said recipient is a physician; See [0063-0065].

Claims 9-10, 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lucas et al. U.S. Patent Publication 2002/0143533 ('Lucas') in view of Podhradsky U.S. Patent No. 5,978,755 ("Podhradsky").

As to claims 9, 23 and 24:

The modified invention of Lucas discloses the claimed invention except for wherein said invoice is generated based at least in part on the number of words in said at least one of said plurality of documents and generating an invoice for said at least one transcribed document. Podhradsky teaches that it is known to provide for wherein said invoice is generated based at least in part on the number of words in said at least

Art Unit: 2175

one of said plurality of documents and generating an invoice for said at least one transcribed document. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide for wherein said invoice is generated based at least in part on the number of words in said at least one of said plurality of documents and generating an invoice for said at least one transcribed document as taught by Podhradsky, since Podhradsky states at column 14, lines 50-67 that such a modification would provides information about the number of words in a dictation, can be used, for example when a dictation is transcribed or when a dictation has been completed, to bill for example the author of the dictation, the amount of the bill being based on the number of transcribed words, i.e. the number of words comprised in a dictation.

As to claims 10 and 25:

The modified invention of Lucas discloses the claimed invention except for wherein said invoice is generated based at least in part on the number of lines in said at least one of said plurality of documents. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide for wherein said invoice is generated based at least in part on the number of lines in said at least one of said plurality of documents since it was known in the art that that charging for a unit of transcription of a document including words and lines of a text would enable a calculation based on the amount of text that has to be translated.

***Allowable Subject Matter***

Claim 13 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an Examiner's statement of reasons for the indication of allowable subject matter: The prior art of record does not disclose, make obvious, or otherwise suggest the structure of the applicant's system and method wherein at least one of said plurality of indexing fields is selected from the group consisting of a patient name, a physician name, a chart number, an MRI date, and an MRI study together with the other limitations of the independent claims. The dependent claims being further limiting and definite are also allowable.{PRIVATE }

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles L. Rones whose telephone number is 703-306-3030. The examiner can normally be reached on Monday-Thursday 8am-4pm.

Art Unit: 2175

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.



Charles L. Rones  
Primary Examiner  
Art Unit 2175

December 12, 2003